

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>TYRONE P. JAMES,</b>	:	
<b>Plaintiff</b>	:	<b>CIVIL ACTION NO. 1:01-1015</b>
<b>V.</b>	:	<b>(KANE, J.) (MANNION, M.J.)</b>
<b>YORK COUNTY POLICE</b>	:	
<b>DEPARTMENT, AGENT</b>	:	
<b>JAMES H. MORGAN, DET.</b>	:	
<b>RICHARD PEDDICORD, DET.</b>	:	
<b>RAYMOND E. CRAUL, SGT.</b>	:	
<b>GENE FELS, DET. KESSLER,</b>	:	
<b>C/O BAYLARK,</b>	:	
<b>Defendants</b>	:	

**ORDER**

Before the court is the plaintiff's motion for reconsideration of this court's order of March 11, 2004 denying his fifth motion for appointment of counsel. (See Doc. Nos. 4, 18, 21, 86, 117). The court finds that the request for counsel has been thoroughly reviewed by Judge Kane (See Doc. Nos. 55, 72 and 99) and denied on each one of those occasions. Additionally, this court has reviewed the plaintiff's request for counsel and has also denied it. (Doc. No. 132).

It is very clear that the plaintiff has in the past and continues to show the ability to present the facts of his case given the leeway accorded *pro se* litigants. He is also been able to handle the legal issues involved, has served and been involved in many requests for discovery and has shown the ability to investigate and pursue his own

claim. Additionally, the case does not appear to be one that involves complex testimony, nor expert witnesses. Although the plaintiff has alleged that he is unable to afford to retain counsel, his abilities indicate that he has been and will be able to present his case in an effective manner even if the issues include credibility determinations of other witnesses that he would have to examine at trial.

For the foregoing reasons, the plaintiff's motion for reconsideration of this court's prior order of March 11, 2004 denying his motion for appointment of counsel is **DENIED**.

s/ Malachy E. Mannion

MALACHY E. MANNION  
United States Magistrate Judge

Dated: March 29, 2004

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